



US Army Corps
of Engineers

Sacramento District
1325 J Street
Sacramento, CA 95814-2922

Public Notice

Public Notice Number: 200100465

Date: March 13, 2002

Comments Due: April 12, 2002

In reply, please refer to the Public Notice Number

TO WHOM IT MAY CONCERN:

SUBJECT: Application for a Department of the Army permit under authority of Section 404 of the Clean Water Act to construct a residential subdivision, as shown in the attached drawings.

APPLICANT: Jeff Dutra
Pacificwest Development
220 Sacramento Street
Auburn, California 95603

LOCATION: The proposed River Oaks Estates project is located in the northwest corner of the Mount Vernon Road and Edgewood Road intersection, Section 5, Township 12 North, Range 8 East, MDBM, west of Auburn in Placer County, California.

PROJECT DESCRIPTION: The purpose of the proposed project is to provide additional residential housing in the Auburn area. The project proposal consists of construction of two access roads, two cul-de-sacs, and associated infrastructure to establish a 52-lot subdivision on the 87-acre site. The applicant proposes to preserve 20.3 acres of the site in 5 open space lots. An additional 0.8 acre of the site would be used as a park. The main entrance road to the subdivision is to be constructed from Mount Vernon Road on the South. Additional access is to be provided from Edgewood Road on the eastern property boundary. Where the proposed roads cross the perennial or intermittent streams on the site, the drainage would be culverted and rip-rap would be placed on the downstream and upstream ends of the culverts. Water, sewer, and storm drains are to be constructed within the proposed road alignments. A stormwater detention basin is proposed in the southwest corner of the property on the intermittent stream.

A delineation of waters of the United States, including wetlands, on the property was verified by the Corps. The 2.24 acres of waters identified include 0.93 acre of perennial stream, 1 acre of seasonal stream, 0.04 acre of intermittent drainage, 0.07 acre of riparian wetland, and 0.20 acre of seeps. The proposed project would result in the direct loss of 0.04 acre of perennial stream, 0.16 acre of intermittent stream, 0.03 acre of ephemeral drainage, 0.05 acre of riparian swale, and 0.19 acre of seep, for a total of 0.47 acre of waters of the United States. The applicant proposes to preserve the remaining jurisdictional features in open space lots and to compensate for the permanent loss of 0.47 acre of waters through the purchase of mitigation credits from a Corps approved mitigation bank at a ratio of 1:1. Although, not a jurisdictional feature, a Nevada Irrigation District irrigation canal on the site would be encased in a pipeline throughout the property.

AREA DESCRIPTION: The project site is located in the foothills of the Sierra Nevada, approximately 2 miles northwest of central Auburn. The proposed project site was previously used to graze cattle. Surrounding land use is primarily rural residential with the exception of a working ranch along a portion of the western boundary.

ADDITIONAL INFORMATION:

The latest published version of the National Register of Historic Places and its monthly supplements have been reviewed and there are no places either listed or recommended as eligible which would be affected.

However, a field survey of the site identified features which are potentially eligible for listing in the National Register, and presently unknown cultural resources may be located in the permit area.

No federally listed threatened or endangered species are expected to occur within the project area.

The District Engineer has made this determination based on information provided by the applicant and on the Corps' preliminary investigation.

Interested parties are invited to submit written comments on or before **April 12, 2002**. Any person may request, in writing, within the comment period specified in this notice that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

If additional information is required, please contact the applicant's agent, James McKeivitt, telephone 530-887-8500, or Mr. William Ness, at the letterhead address, telephone 916-557-5268.

Michael J. Conrad, Jr.
Colonel, Corps of Engineers
District Engineer

Enclosures: 3 Drawings